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HUMAN RIGHTS QUESTIONS: COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION

Follow-up to the World Conference on Human Rights

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 10 of General Assembly resolution 48/121 of 20 December 1993 on the World Conference on Human Rights, in which the Secretary-General was requested to report annually to the Assembly on the measures taken and the progress achieved in the implementation of the recommendations adopted by the World Conference on Human Rights, held at Vienna in June 1993. The report focuses on the activities directly related to the Vienna document. Its structure follows the order of the Vienna Declaration and Programme of Action 1/ adopted by the Conference so that specific activities are highlighted in different parts of the report, especially with regard to advisory services and technical assistance. The Centre for Human Rights and the question of resources for the human rights programme, dealt with in the Vienna Declaration and Programme of Action in separate chapters, are covered by the report of the Secretary-General on the strengthening of the Centre for Human Rights (A/49/595). The activities of the High Commissioner for Human Rights are also dealt with in his report to the General Assembly (A/49/36).

II. THE OUTCOME OF VIENNA - A PROMISE AND CHALLENGE TO THE INTERNATIONAL COMMUNITY

2. The Vienna Declaration and Programme of Action is a reaffirmation of the solemn commitment of all States to promote and protect all human rights and fundamental freedoms. The document, in essence, charts the course of action of the international community well into the next century. It is a universal document adopted after all nations of the world had the opportunity to determine their own human rights preoccupations, including in the framework of regional and local human rights institutions. The Vienna Declaration and Programme of Action constitutes the crowning piece of a long process of consultation and joint action with the participation not only of Governments but also of United Nations organs and bodies, human rights treaty bodies, regional intergovernmental organizations, as well as organizations representing all segments of civil society, including national institutions and non-governmental organizations.

3. The Vienna Declaration and Programme of Action provides the United Nations with a framework of principles and a programme of activities, approved by consensus, to achieve the objectives of the Charter of the United Nations in the field of human rights. The World Conference took an integrated and systematic approach regarding the protection of human rights, the strengthening of democracy and sustainable development. It identified major obstacles to the implementation of human rights, and shortcomings, especially in the international protection of those rights, and specified concrete measures which should help to overcome the existing difficulties.

4. The World Conference reaffirmed the universality of all human rights as the birthright of all human beings. It recognized that their promotion and protection were the first responsibility of Governments and, in the framework of the purposes and principles of the United Nations, constituted a legitimate concern of the international community. The Conference stressed the close

interrelationship between democracy, development and respect for human rights and reaffirmed the right to development as a human right. It underlined that all human rights, civil, cultural, economic, political and social, were universal, indivisible, interdependent and interrelated and must be treated globally in a fair and equal manner, on the same footing, and with the same emphasis. Further, it pointed out that the efforts of the United Nations system towards the universal respect for and observance of human rights and fundamental freedoms for all, contributed to the stability and well-being necessary for peaceful and friendly relations among nations, and to improved conditions for peace and security as well as social and economic development. In Vienna, the international community gave priority to action aimed at the full and equal enjoyment by women of all human rights and stressed the importance of the effective protection of the rights of the child.

5. The Vienna Declaration and Programme of Action reaffirmed the human rights of persons belonging to national or ethnic, religious and linguistic minorities and recognized the inherent dignity of indigenous people and their unique contribution to the development and plurality of society. It reinforced policies and programmes to eliminate racism and racial discrimination, xenophobia and related intolerance. It called on all Governments to enact appropriate legislation to combat all forms of racism and to establish national institutions to prevent such phenomena.

6. The role of education for human rights was underlined repeatedly in the Vienna Declaration and Programme of Action as a crucial element in building future respect for human rights. The World Conference also recognized the value of technical cooperation programmes aimed at strengthening democratic institutions, the rule of law and national human rights infrastructures, and stressed the enhanced role that regional organizations, national institutions as well as non-governmental organizations had to play in the promotion and protection of human rights.

7. The World Conference recognized the vital role of international cooperation as well as coordination of efforts undertaken in the field of human rights by Governments, relevant specialized agencies and programmes and non-governmental organizations. It urged the agencies and programmes of the United Nations to cooperate in order to strengthen, rationalize and streamline their activities in the field of human rights. It set the universal acceptance of international human rights instruments as an important objective and called for concerted efforts to that end.

8. The General Assembly, in resolution 48/121, endorsed the Vienna Declaration and Programme of Action and called upon all States and requested all organs and bodies of the United Nations system dealing with human rights to take further action with a view to the full implementation of all recommendations of the Conference. Governments, the United Nations system, regional organizations, as well as national institutions and non-governmental organizations, have their own role to play in giving effect to the outcome of the Conference.

9. The implementation of the Vienna Declaration and Programme of Action requires more than a number of isolated activities. International cooperation and an organizational framework to that end are strongly needed. A detailed

plan for the implementation of the Vienna Declaration and Programme of Action, enriched by the input of specialized agencies and United Nations programmes, continuously verified in practice, has been developed in order to guide the United Nations activities in the field of human rights.

10. It was in order to build upon the Vienna spirit of cooperation and solidarity, and to be able to respond fully to the new challenges ahead in the post-Vienna period, that the international community agreed by consensus to the establishment of the post of United Nations High Commissioner for Human Rights, whose mandate includes enhancing international cooperation in the field of human rights. The High Commissioner therefore provides policy direction and guidance to the implementation of the Vienna Declaration and Programme of Action, including the coordination of efforts to that end. Through the moral authority given to the High Commissioner by the community of States, the challenges and opportunities of implementing the Vienna Declaration and Programme of Action are closely identified with his own activity. To facilitate the implementation of the Vienna recommendations, the High Commissioner has established a continuous dialogue with Governments, United Nations agencies and programmes, regional organizations, national institutions and non-governmental organizations. The High Commissioner's report to the General Assembly contains specific information on his activities aimed at implementing the Vienna Declaration and Programme of Action.

III. COORDINATION OF HUMAN RIGHTS WITHIN THE UNITED NATIONS SYSTEM

11. The Vienna Declaration and Programme of Action provides for the enhancement of international coordination in the field of human rights as essential for the full achievement of the human rights programme of the United Nations. The Conference urged all United Nations organs, bodies and the specialized agencies whose activities deal with human rights to cooperate in order to strengthen, rationalize, and streamline their activities. By General Assembly resolution 48/141 of 20 December 1993, the responsibility for the system-wide coordination of efforts is vested with the High Commissioner for Human Rights.

12. Today, human rights are considered a fundamental expression of a new international awareness which permeates all United Nations activities. Priority consideration to human rights thus contributes to the integration of United Nations system-wide activities.

13. At the last session of the Administrative Committee on Coordination (ACC), which was held in April 1994, human rights was on the agenda for the first time. The session was attended by the heads of United Nations agencies and programmes. The High Commissioner submitted specific recommendations for further action and stressed the need for a permanent dialogue within the system to promote human rights through a systematic exchange of information, experience and expertise. ACC concluded its work by affirming the commitment of all agencies to the implementation of the Vienna Declaration and Programme of Action through a number of specific measures, including an assessment of the strategies and policies adopted by the members of ACC on the enjoyment of human rights. ACC also agreed upon examination of methods which should facilitate systematic

inter-agency exchange of information. Emphasis was placed on human rights training for international civil servants, particularly for those active in the field of development, peacemaking and peace-building. The members of ACC declared their support for the action taken by the High Commissioner to fulfil his mandate with regard to the system-wide coordination of human rights activities.

14. The High Commissioner for Human Rights undertakes initiatives aiming at concluding working agreements with a number of United Nations agencies and programmes. These define the framework for cooperation at the operational level. A joint work programme has already been signed with the United Nations Educational, Scientific and Cultural Organization, in 1994, and others are planned for 1995.

15. The High Commissioner has established a constructive and intensive dialogue with the Commission on Human Rights and its Subcommission, as well as human rights treaty bodies. This dialogue aims to bring about better coordination of efforts, strengthening of the efficiency of human rights machinery, and elaboration of guidelines for its adaptation to current and future needs. The High Commissioner recognizes that ensuring follow-up to the decisions and recommendations of these organs and bodies is one of his primary responsibilities (see also para. 114 below).

16. The High Commissioner is assisted in his coordination responsibilities within the United Nations system by the Centre for Human Rights. A system of continuous inter-institutional consultation and exchange of information at the working level will be established within the Centre for Human Rights to prepare the substantive input in selected areas (for example, development, children, and education) and for immediate activities (for example, the International Year of the Family, the World Summit for Social Development, and the Fourth World Conference on Women: Action for Equality, Development and Peace).

IV. UNIVERSAL RATIFICATION OF HUMAN RIGHTS INSTRUMENTS

17. Strengthening the international legal framework for the promotion and protection of human rights was a fundamental concern of the World Conference. It thus strongly recommended that a concerted effort be made to encourage and facilitate the universal acceptance of international human rights instruments and invited States to consider limiting the extent of reservations to international instruments, to formulate them as precisely and narrowly as possible and review them regularly with a view to withdrawing them. The High Commissioner places primary emphasis on the activities of the Centre for Human Rights aimed at facilitating universal ratification.

18. The Secretary-General addressed letters to all Heads of State urging that their Governments accept those principal human rights treaties to which they are not yet a party. The High Commissioner, in his contacts and dialogue with high-level government officials, also encourages universal accession to international human rights treaties. The chairpersons of the human rights treaty bodies, during their fifth meeting held in September 1994, welcomed these initiatives. The chairpersons consider it of the utmost importance that the

issue of ratification be brought regularly to the attention of non-States parties whenever possible in contacts between Governments and senior officials of the United Nations.

19. In furtherance of universal acceptance of the principal human rights instruments, the chairpersons of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination undertook separate initiatives in which they addressed letters to the Foreign Ministers of those new States of the former Soviet Union which had not as yet formally notified the Secretary-General of their Governments' accession to the International Covenant on Civil and Political Rights or the International Convention on the Elimination of All Forms of Racial Discrimination. In their letters, the chairpersons of those two treaty bodies urged that such notification be given without further delay.

V. ADAPTATION AND STRENGTHENING OF UNITED NATIONS MACHINERY FOR HUMAN RIGHTS, AND ESTABLISHMENT OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

20. The World Conference on Human Rights recognized the necessity for continuing adaptation of United Nations human rights machinery to the current and future needs in the promotion and protection of human rights. It recommended that the General Assembly consider, as a matter of priority, the question of the establishment of a High Commissioner for Human Rights for the promotion and protection of all human rights. The World Conference also recommended the strengthening of the United Nations machinery.

21. On 12 November 1993, the Third Committee of the General Assembly created a working group to consider the establishment of a United Nations High Commissioner for Human Rights, and thereafter to consider other aspects of the implementation of the recommendations set out in section II, paragraphs 17 and 18 of the Vienna Declaration and Programme of Action. The Working Group produced a consensus draft resolution on the establishment of a United Nations High Commissioner for Human Rights, which was subsequently approved by the Third Committee and adopted without a vote by the General Assembly on 20 December 1993 in resolution 48/141. The working group is continuing its work during the current session of the General Assembly to fulfil the second part of its mandate.

22. Under the above resolution, the High Commissioner for Human Rights is the United Nations official with the principal responsibility for United Nations human rights activities under the direction and authority of the Secretary-General and within the overall framework of the competence, authority and decisions of the General Assembly, the Economic and Social Council and the Commission on Human Rights. The General Assembly approved the nomination of Mr. José Ayala-Lasso as the first High Commissioner on 14 February 1994 and he took up his duties in Geneva on 5 April 1994.

23. The Commission on Human Rights, in its decision 1994/111 of 11 March 1994, established an informal, open-ended working group to discuss: (a) the reclustering of the Commission's agenda, with a view to proposing a provisional agenda for the fifty-first session, (b) organizational matters related to the

above, including the organization of work and documentation, and (c) a preliminary inventory of other reforms. The Working Group held its session from 12 to 23 September 1994. The Chairman will report on its outcome to the Commission at its fifty-first session.

24. The World Conference on Human Rights stressed the importance of strengthening the infrastructure of the United Nations human rights programme. Full funding of this programme is a prerequisite for the effective implementation of all aspects of the Vienna Declaration and Programme of Action.

25. Current needs in the promotion and protection of human rights make the use of modern technology indispensable, in particular with regard to information and documentation. The creation within the Centre for Human Rights of a human rights database, integrating the flow of information and documentation, will decisively enhance and support the work of human rights organs and treaty bodies, facilitate the access of Governments to information on human rights, and advance overall cooperation in the field of human rights.

VI. RESPONSE TO ACUTE HUMAN RIGHTS VIOLATIONS

26. The World Conference welcomed the convening of emergency sessions of the Commission on Human Rights as a positive initiative and recommended the consideration of other ways of responding to acute violations of human rights.

27. In April-July 1994, the most serious of human rights violations on a massive scale affected hundreds of thousands of people in Rwanda. On 24 and 25 May 1994, at the request of the Government of Canada, the Commission on Human Rights held a special session on the situation of human rights in Rwanda. It decided at that session to establish a special rapporteur and requested him to visit Rwanda and to report on an urgent basis to the members of the Commission on the human rights situation in that country. It also requested the Special Rapporteur to gather and compile information on possible violations of human rights and acts which might constitute breaches of international humanitarian law and crimes against humanity, including acts of genocide, in Rwanda. The Special Rapporteur has already delivered two reports. The High Commissioner visited Rwanda twice in order to assess the situation and evaluate existing needs and, subsequently, to strengthen the human rights presence there. In consultation with the Government of Rwanda, the High Commissioner decided to increase the number of human rights personnel in Rwanda to 147. These personnel have four specific mandates: (a) to carry out investigations into violations of human rights and humanitarian law, essentially for the purpose of the Commission of Experts; (b) to monitor the ongoing human rights situation, essentially for the purposes of the mandate of the Special Rapporteur, and through their presence help redress existing problems and prevent possible human rights violations from occurring; (c) to cooperate with other international agencies in re-establishing confidence and thus facilitate the return of refugees and displaced persons and the rebuilding of civic society; and (d) to implement programmes of technical cooperation in the field of human rights, particularly in the area of the administration of justice. The experience in Rwanda exemplifies the spirit in which the High Commissioner may act in emergency human

rights situations and in situations of post-conflict and reconstruction of the basic human rights infrastructures of a country.

28. The need for the Commission on Human Rights to respond promptly to emergency situations (for example, Rwanda) makes it necessary to consider the creation of an adequate organizational framework for special sessions of this organ.

VII. RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND OTHER FORMS OF INTOLERANCE

29. The World Conference stressed that the elimination of racism and racial discrimination was a primary objective of the internationcal community and should constitute a world-wide promotion programme in the field of human rights. It urged all Governments to take immediate measures and to develop strong policies to prevent and combat all forms and manifestations of racism, xenophobia or related intolerance. It also appealed to all States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to consider making the declaration under article 14 of the Convention.

30. The General Assembly, by its resolution 48/91 of 20 December 1993, decided to proclaim the Third Decade to Combat Racism and Racial Discrimination and to adopt the Programme of Action for the Decade annexed to the resolution. A report submitted to the Economic and Social Council, 2/ at its substantive session in June-July 1994, contains a plan for short, medium and long-term implementation of the Programme of Action.

31. The Commission on Human Rights, at its forty-ninth session, decided to appoint, for a three-year period, a Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. The Special Rapporteur reports to the Commission on an annual basis. The Commission, in its resolution 1994/64 of 9 March 1994, welcomed the Special Rapporteur's proposal concerning the organization of an interdisciplinary seminar on the problems of the theoretical aspects and specific manifestations of contemporary forms of racism, racial discrimination and xenophobia.

32. The Special Rapporteur on monitoring the transition to democracy in South Africa, appointed in accordance with Subcommission resolution 1992/6 of 21 August 1992 and Commission resolution 1993/19 of 26 February 1993, visited South Africa in 1994 and reported to the Commission and Subcommission. The Special Rapporteur will visit South Africa in November 1994 and submit her final report to the Commission and the Subcommission in 1995.

33. The General Assembly, on the recommendation of the Third Committee, adopted decision 48/426 of 20 December 1993 on the draft model national legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, revised by the Secretariat in accordance with the comments made by the Committee on the Elimination of Racial Discrimination at its fortieth and forty-first sessions.

34. In the years 1993-1994, the Committee on the Elimination of Racial Discrimination adopted eight general recommendations related to its area of competence.

35. The World Conference called for countering intolerance and related violence based on religion or belief, recognizing that every individual had the right to freedom of thought, conscience, expression and religion. It also invited all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The Commission on Human Rights, in its resolution 1994/18 of 25 February 1994, recognized inter alia that legislation alone was not enough to prevent violations of human rights, including the right to freedom of religion or belief, and urged all States to take all appropriate measures to combat hatred, intolerance and acts of violence, including those motivated by religious extremism, and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief. The Human Rights Committee, during its forty-eighth session in 1993 adopted a general comment to article 18, on freedom of thought, conscience and religion, of the International Covenant on Civil and Political Rights. The Special Rapporteur on religious intolerance continues to report to the Commission on an annual basis.

36. The World Conference also called for combating the practice of ethnic cleansing and bringing it to an end quickly. Victims of that practice were entitled to appropriate and effective remedies. The Conference stressed that all persons who perpetrated or authorized criminal acts associated with ethnic cleansing were individually responsible and accountable for such human rights violations. The General Assembly and the Commission on Human Rights, in their respective resolutions, continue to condemn the practice of ethnic cleansing and stress the responsibility of the perpetrators.

37. The High Commissioner gives priority to action by the Centre for Human Rights, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and the Committee on the Elimination of Racial Discrimination, particularly within the framework of the Third Decade to Combat Racism and Racial Discrimination, related to racism, racial discrimination, xenophobia and other forms of intolerance. Advisory services and information concerning various aspects of racism, racial discrimination and xenophobia, including the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, are available in the Centre for Human Rights to Member States upon request.

VIII. PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

38. The World Conference on Human Rights urged States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. It called for facilitation of the full participation of persons belonging to minorities in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and

development in their country. The Conference called upon the competent bodies to examine ways and means to effectively promote and protect the rights of persons belonging to minorities and to provide, at the request of Governments, qualified expertise in that regard, as part of the human rights programme of advisory services and technical assistance.

39. The Commission on Human Rights, in its resolution 1994/22 of 1 March 1992, inter alia, urged States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration. It called upon the High Commissioner for Human Rights to give due regard, within his mandate, to the Declaration. It called upon the Secretary-General to make available, at the request of Governments concerned, as part of the programme of advisory services and technical assistance of the Centre for Human Rights, qualified expertise on minority issues, human rights, dispute management, resolution and prevention, and to assist in existing or potential situations involving minorities.

40. The Subcommission on Prevention of Discrimination and Protection of Minorities, at its forty-sixth session, recommended that the Commission on Human Rights establish an intersessional working group of the Subcommission to examine inter alia peaceful and constructive solutions to situations involving minorities.

41. The Human Rights Committee, during its fiftieth session in 1994, adopted a general comment to article 27 on protection of persons belonging to ethnic, religious or linguistic minorities, of the International Covenant on Civil and Political Rights.

42. The High Commissioner attaches great importance to the protection of minorities. He is systematically drawing the attention of Governments to this question. The Centre for Human Rights, in close cooperation with other departments of the Secretariat, United Nations bodies and organs, is developing activities aimed at facilitating the full participation of persons belonging to national or ethnic, religious and linguistic minorities in all aspects of the political, economic, social, religious and cultural life of their societies and in the economic progress and development of their countries.

43. Technical assistance and advisory services programmes, information and education activities concerning various aspects of minority issues are available in the Centre for Human Rights to Member States upon request.

IX. INDIGENOUS PEOPLE

44. The World Conference on Human Rights reaffirmed the commitment of the international community to the economic, social and cultural well-being of indigenous people and their enjoyment of the fruits of sustainable development. It called upon States to ensure the full and free participation of indigenous people in all aspects of society and, in accordance with international law, to take positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people, on the basis of equality and non-discrimination,

and recognize the value and diversity of their distinct identities, cultures and social organization.

45. The General Assembly, in its resolution 48/133 of 20 December 1993, requested the Commission on Human Rights to convene a meeting of participants in the programmes and projects of the International Year of the World's Indigenous People, 1993, and to report to the Working Group on Indigenous Populations on the conclusions that could be drawn from the activities of the Year for the elaboration of a detailed plan of action and the establishment of a funding plan for the International Decade of the World's Indigenous People. The technical meeting was held in July 1994, prior to the session of the Working Group. The General Assembly also adopted resolution 48/163 of 21 December 1993, requesting the Commission to give priority consideration to the establishment of a permanent forum for indigenous people in the United Nations system.

46. The Subcommission on Prevention of Discrimination and Protection of Minorities, by its resolution 1994/45 of 26 August 1994, adopted the draft United Nations Declaration on the Rights of Indigenous People and decided to submit it to the Commission on Human Rights at its fifty-first session. Once adopted by the General Assembly, the declaration will become a guideline for the national and international activities related to indigenous people.

47. At its twelfth session in July 1994, the Working Group on Indigenous Populations considered its future activities. It examined the question of expanding its mandate, including a new role in the mechanism to be established in the context of the International Decade. It also considered the question of the establishment of a permanent forum for indigenous peoples.

48. The High Commissioner for Human Rights has put primary emphasis on activities in the Centre for Human Rights aimed at the implementation of the International Decade. A study on ways and means of ensuring the full and free participation of indigenous people in all aspects of society will be undertaken. The publication of a fact sheet, and the forthcoming publication of a manual, relating to indigenous people and including the Declaration on the Rights of Indigenous People, will contribute to the wide dissemination of knowledge in this context.

49. Technical assistance and advisory services programmes, information and education activities concerning various aspects of the protection of indigenous people are available in the Centre for Human Rights to Member States upon request.

X. MIGRANT WORKERS

50. The World Conference on Human Rights urged all States to guarantee the protection of the human rights of all migrant workers and their families. It attached particular importance to the harmony and tolerance between migrant workers and the rest of the society in which they lived. States have again been invited to sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

51. The Commission on Human Rights at its fiftieth session, in resolution 1994/17 of 25 February 1994, called upon all States to sign and ratify or accede to the International Convention as a matter of priority, and expressed the hope that it would enter into force at an early date. The Commission requested the Secretary-General to provide all facilities and assistance necessary for the active promotion of the Convention, and invited organizations and agencies of the United Nations system, as well as intergovernmental and non-governmental organizations, to intensify their efforts to disseminate information on and promote understanding of the Convention.

52. The General Assembly, in its resolution 48/110 of 20 December 1993, called for action to be taken by all countries, trade unions, treaty bodies and non-governmental organizations to protect the human rights of women migrant workers, who are doubly vulnerable because of their gender and their status as foreigners. In this regard, particular responsibility is vested with the sending and receiving States.

53. Technical assistance and advisory services programmes, information and education activities concerning the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families are available in the Centre for Human Rights to Member States upon request.

XI. EQUAL STATUS AND HUMAN RIGHTS OF WOMEN

54. The World Conference on Human Rights reaffirmed that the full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex were priority objectives of the international community. It stressed that the human rights of women should form an integral part of United Nations human rights activities. The Conference urged Governments, institutions, intergovernmental and non-governmental organizations to intensify their efforts for the protection and promotion of human rights of women and the girl-child.

55. The World Conference reiterated the objectives established on global action for women towards sustainable and equitable development set forth in the Rio Declaration on Environment and Development 3/ and chapter 24 of Agenda 21. 4/ It also emphasized that the equal status of women and the human rights of women should be integrated into the mainstream of United Nations system-wide activity whereas the coordination and integration of objectives and goals of the relevant organs and bodies should be enhanced. The United Nations should encourage the universal ratification by all States, by the year 2000, of the Convention on the Elimination of All Forms of Discrimination against Women. The High Commissioner emphasized at the beginning of his term of office that achieving true gender equality in practice would be among his priorities. Strong attention would be paid to the preparation from the human rights perspective for the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in Beijing in 1995.

56. The Commission on Human Rights, in its resolution 1994/45 of 4 March 1994, condemned all violations of the human rights of women, including acts of

gender-based violence against women, and urged Governments to intensify their efforts to promote and protect the human rights of women. It also called for the elimination of violence against women in public and private life. The Commission stressed the need for cooperation and coordination between relevant United Nations organs and bodies. It noted that the Fourth World Conference on Women might consider the question of means of integrating the human rights of women into the mainstream of United Nations system-wide activity.

57. In accordance with resolution 1994/45, a Special Rapporteur on violence against women, including its causes and its consequences, was appointed for a three-year period. She will report to the Commission on an annual basis, beginning at the fifty-first session. In carrying out her mandate, she is requested by the Commission inter alia to: (a) seek and receive information on violence against women, its causes and its consequences; (b) recommend measures, ways and means, at the national, regional and international levels, to eliminate violence against women and its causes, and to remedy its consequences; and (c) to work closely with other special rapporteurs, special representatives, the Subcommission on Prevention of Discrimination and Protection of Minorities and with the treaty bodies, and cooperate closely with the Commission on the Status of Women.

58. The question of traditional practices affecting the health of women and girl-children has been dealt with by the Subcommission on Prevention of Discrimination and Protection of Minorities since its thirty-sixth session. The Subcommission adopted in its resolution 1994/30 of 26 August 1994, a Plan of Action for the Elimination of Harmful Traditional Practices affecting the Health of Women and Children, submitted by the Special Rapporteur. The second regional seminar on traditional practices affecting the health of women and children was held at Colombo in July 1994.

59. The chairpersons of the human rights treaty bodies, at their fifth meeting, stressed the need to address in a comprehensive manner the obstacles to the realization by women of human rights established in the international instruments. They also recognized the need to revise appropriately the reporting guidelines and procedures of various treaty bodies and to continue their consideration of the subject during the next meeting. It may be noted that the chairpersons firmly recommended that the sessions and the secretariat of the Committee on the Elimination of Discrimination against Women be relocated to Geneva so that it was no longer separated from the mainstream of the other human rights activities.

60. Within the Centre for Human Rights, priority has been given to action aimed at ensuring cooperation and coordination with the Division on Women and other United Nations bodies related to women, especially in view of the Fourth World Conference on Women in 1995, at developing a strategy for greater information and media activities on women's issues in close cooperation with the Department of Public Information (DPI), and at collecting and exchanging information on the human rights of women to be included in the human rights database. Technical assistance and advisory services programmes, information and education activities concerning various aspects of the protection of human rights of women are available in the Centre for Human Rights to Member States upon request.

XII. THE RIGHTS OF THE CHILD

61. The World Conference stressed the importance of major national and international efforts aimed at promoting respect for the rights of the child to survival, protection, development and participation. It urged universal ratification of the Convention on the Rights of the Child by 1995 and its effective implementation by States parties through the adoption of all the necessary legislative, administrative and other measures and the allocation to the maximum extent of the available resources. National and international mechanisms and programmes should be strengthened for the defence and protection of children, in particular, the girl-child, abandoned children, street children, and economically and sexually exploited children. International cooperation and solidarity should be promoted to support the implementation of the Convention and the rights of the child should be a priority in the United Nations system-wide action on human rights.

62. The Commission on Human Rights, at its fiftieth session, in resolution 1994/91 of 9 March 1994, called upon all States that had not done so to sign, ratify or accede to the Convention as a matter of priority, and requested the Secretary-General to continue to provide all facilities and assistance necessary with a view to promoting its universal ratification by 1995.

63. The Commission on Human Rights, at its fiftieth session, in resolutions 1994/90 and 1994/91 of 9 March 1994, decided to establish two open-ended working groups to draft two optional protocols to the Convention on the Rights of the Child, one on the prevention and eradication of the sale of children, child prostitution and child pornography and the other on the involvement of children in armed conflicts. The two working groups are meeting in November 1994.

64. The High Commissioner has already outlined his basic strategy on the rights of the child in ongoing discussions with UNICEF, with which a joint work programme on cooperative endeavours in order to implement the Convention on the Rights of the Child has recently been concluded. He has also prepared a seven-point plan of action to improve the implementation of the Convention on the Rights of the Child. The Centre for Human Rights will enhance cooperation on issues related to the child within the United Nations system, and in particular with UNICEF, and with other relevant agencies and bodies, to pursue inter alia the achievement of the objectives set in the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held in New York in September 1990, including the integration of the implementation of the Convention into national plans of action. It maintains contacts with relevant organizations related to the protection of children traumatized by war. A specific programme, embracing cooperation with Governments, the Committee on the Rights of the Child and related non-governmental organizations, aims at universal ratification of the Convention by 1995.

65. The Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities has also dealt with issues related to children, such as child labour, the sale of children, child prostitution and child pornography. It met most recently in May 1994 and will continue its work in 1995.

66. In accordance with General Assembly resolution 48/157 of 20 December 1993, an expert was appointed by the Secretary-General to carry out a study on children affected by armed conflict. In this context, action has been taken to create a mechanism of coordination and cooperation between relevant United Nations agencies, including UNICEF, the United Nations High Commissioner for Refugees and the Centre for Human Rights. The study will be finalized for the fifty-first session of the General Assembly.

67. The Centre for Human Rights assists in the coordination of activities between the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and the Committee on the Rights of the Child, the Working Group of the Subcommission on Prevention of Discrimination and Protection of Minorities, UNICEF and other United Nations agencies and non-governmental organizations. Technical assistance and advisory services programmes, information and education activities concerning various aspects of the protection of the rights of the child, including the ratification and implementation of the Convention on the Rights of the Child, are available in the Centre for Human Rights to Member States upon request.

XIII. FREEDOM FROM TORTURE

68. The World Conference on Human Rights classified torture as one of the most atrocious violations against human dignity, which impaired the capability of victims to continue their lives and activities. It reaffirmed that under human rights law and international humanitarian law, freedom from torture was a right which must be protected under all circumstances, including in times of internal or international disturbance or armed conflicts. The Conference urged all States to put an immediate end to the practice of torture and eradicate that evil forever. States should abrogate legislation leading to impunity for those responsible for grave violations of human rights such as torture and prosecute such violations, thereby providing a firm basis for the rule of law. The Conference underscored the primary role of prevention in combating torture and in that context called for the early adoption of an optional protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, which is intended to establish a preventive system of regular visits to places of detention. The Conference encouraged speedy ratification of the Convention by all Member States that have not yet ratified it.

69. The Commission on Human Rights, in its resolution 1994/37 of 4 March 1994, outlined the specific measures which should be taken to prevent or combat torture, as well as to assist victims of torture. In its resolution 1994/38 of the same date, the Commission urged all States to become parties to the Convention as a matter of priority.

70. The High Commissioner attaches particular importance to the effective implementation of the Convention against Torture. On 28 June 1994, at the Copenhagen Centre for the Rehabilitation of Victims of Torture, he made a world-wide appeal for the immediate cessation of all forms of torture, the universal ratification of the Convention and the full implementation of its provisions. He has also initiated an intensive campaign for universal ratification of the Convention.

71. Member States should strengthen assistance to victims of torture, including by increased support for the United Nations Voluntary Fund for Victims of Torture. The efficiency of measures and methods applied in assisting victims of torture and ensuring their rehabilitation requires further examination.

72. The open-ended working group created by the Commission on Human Rights at its forty-eighth session to draft an optional protocol to the Convention met in October 1993 and October 1994 and made considerable progress. It will continue its work in 1995.

73. The Centre for Human Rights has taken steps to facilitate action to combat torture. Advisory services with respect to both ratification and implementation of the Convention and the resulting reporting obligations are available to Member States upon request. In this context, in cooperation with the World Health Organization and non-governmental organizations, the Centre will also take concrete measures to ensure that principles of medical ethics are made familiar to physicians and other relevant professions.

XIV. ENFORCED DISAPPEARANCES

74. The World Conference on Human Rights called upon all States to take effective legislative, administrative, judicial or other measures to prevent, terminate and punish acts of enforced disappearances.

75. The Commission on Human Rights, in its resolution 1994/39 of 4 March 1994, focused on the obligation of States to prevent, combat and punish involuntary disappearances. In this context, it recalled that all acts of enforced disappearance were offences punishable by appropriate penalties which took into account their extreme seriousness under criminal law. The Commission urged the Governments concerned to intensify their cooperation with the Working Group on Enforced or Involuntary Disappearances on any action taken pursuant to recommendations addressed to them by the Group. It noted with concern that some Governments had never provided substantive replies concerning enforced disappearances alleged to have occurred in their countries, and deplored the fact that some Governments had not acted on the relevant recommendations made in the reports of the Working Group.

76. In its resolution 1994/72 of 9 March 1994, the Commission on Human Rights requested the Working Group on Enforced or Involuntary Disappearances, represented by one of its members, to cooperate as appropriate with the Special Rapporteur of the Commission in dealing with the problem of enforced disappearances in the territory of the former Yugoslavia.

77. The High Commissioner, in cooperation inter alia with the Working Group and the relevant United Nations-based treaty bodies, as well as non-governmental organizations, has taken steps to study recommendations for the effective implementation of the Declaration on the Protection of All Persons from Enforced Disappearances.

78. Advisory services and information concerning the Declaration with regard to administrative, legislative and judicial procedures are available in the Centre

for Human Rights to Member States upon request. The existing database on missing persons will be revised and integrated into an overall database of the Centre.

XV. THE RIGHTS OF DISABLED PERSONS

79. The World Conference stressed that persons with disabilities should enjoy all human rights and fundamental freedoms. It called for legislation to be adopted or adjusted as necessary to ensure access for disabled persons to those rights and freedoms.

80. The General Assembly, by its resolution 48/96 of 20 December 1993, adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities. These have been brought to the attention of the relevant committees, working groups and special rapporteurs. Publication of the Standard Rules is expected to sensitize public opinion. A special rapporteur has been appointed within the framework of the Commission for Social Development to monitor the implementation of the Standard Rules.

81. In its resolution 48/99 of 20 December 1993, the General Assembly reaffirmed inter alia the continuing validity and value of the World Programme of Action concerning Disabled Persons; reiterated the responsibility of Governments for removing or facilitating the removal of barriers and obstacles to the full integration of persons with disabilities into society; and requested the Secretary-General to continue to give higher priority and visibility to disability issues within the work programme of the United Nations system. Member States and the private sector were invited to contribute to the United Nations Voluntary Fund on Disability. The General Assembly also commended the launching of the Asian and Pacific Decade of Disabled Persons, 1993-2002.

82. Advisory services concerning the adoption or adjustment of legislation for disabled persons are available to Member States upon request. Such services can be provided inter alia to promote, in the framework of national programmes, the participation of disabled persons in the decision-making process.

XVI. COOPERATION AND THE RIGHT TO DEVELOPMENT

83. The World Conference on Human Rights set out the vision of supporting democracy, development and human rights through increased international cooperation. It put emphasis on developing and building institutions relating to human rights, strengthening a pluralistic civil society and protecting groups which have been rendered vulnerable.

84. The World Conference emphasized that assistance given, upon the request of Governments, in the human rights aspects of elections, the strengthening of the rule of law, the promotion of freedom of expression and the administration of justice, and to the effective participation of the people in the decision-making processes, was of particular importance.

85. The World Conference recommended the establishment of a comprehensive programme within the United Nations to help States in the task of building and strengthening national structures which had a direct impact on the overall observance of human rights and the maintenance of the rule of law. Within its framework, technical and financial assistance to national human rights projects and to the implementation of plans of action for the promotion and protection of human rights should be made available to Governments. The Conference recommended that each State consider the desirability of drawing up a related national plan of action.

86. The reaffirmation by consensus that the universal and inalienable right to development, as established in the Declaration on the Right to Development, must be implemented and realized, was one of the major achievements of the World Conference. Further, it was emphasized that the human being was the central subject of development. The Conference urged the Working Group on the Right to Development to formulate promptly, for early consideration by the General Assembly, comprehensive and effective measures to eliminate obstacles to the implementation and realization of the Declaration and recommend ways and means towards the realization of the right to development by all States. It also recommended that non-governmental and other grass-roots organizations active in development and/or human rights be enabled to play a major role in the related national and international activities.

87. The World Conference appealed to Governments, competent agencies and institutions to increase considerably the resources devoted to building well-functioning legal systems able to protect human rights and relevant national institutions. It also encouraged the establishment of comprehensive programmes in that area, including resource banks of information and personnel with expertise relating to the strengthening of the rule of law and democratic institutions. Those involved in development cooperation should bear in mind the mutually reinforcing interrelationship between development, democracy and human rights and cooperation.

88. The General Assembly, by its resolution 48/141 creating the post of High Commissioner for Human Rights, entrusted him with the mandate inter alia to enhance international cooperation for the promotion and protection of human rights, and to promote and protect the realization of the right to development, enhancing support from relevant bodies of the United Nations system for that purpose.

89. The High Commissioner has initiated dialogue with States and non-governmental organizations in order to develop or establish regional arrangements in the field of human rights, including through advisory services and technical assistance. He discussed inter alia related problems in the framework of the Third Asia-Pacific Workshop on Human Rights Issues, held in Seoul in July 1994. Various interested organizations were offered encouragement and support by the High Commissioner with regard to setting up a regional or subregional human rights structure in Asia.

90. The High Commissioner will also ensure dialogue with intergovernmental, as well as national development agencies, with a view to integrating the human rights dimension in their development programmes. Comprehensive programmes will

be set up to strengthen the legal and institutional infrastructures for the protection of all human rights.

91. The Centre for Human Rights assists in enhancing cooperation between the Committee on Economic, Social and Cultural Rights and non-governmental organizations as well as relevant United Nations organs and agencies, so as to ensure the effective implementation of those rights. In this connection, support is available to the Commission on Human Rights in pursuing the recommendation of the Committee in regard to the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, establishing a procedure of individual communications.

92. The High Commissioner is taking steps, including the convening of a senior-level meeting of experts, to assess the work undertaken so far in the realization of cultural, economic, and social rights and to elaborate a strategy for the next four years, bearing in mind the Secretary-General's Agenda for Development. He attaches great importance to assisting, in continuous consultations on this question with relevant United Nations agencies, bodies and other institutions, the Working Group on the Right to Development, with the formulation of comprehensive measures to eliminate obstacles to the realization of the Declaration on the Right to Development. The cooperation of the United Nations bodies working in the field of development, specialized agencies and non-governmental organizations in identifying further social and economic indicators may facilitate assessing the progressive realization of cultural, economic and social rights and identifying and addressing violations of these rights.

93. The Commission on Human Rights, in its resolution 1994/20 of 1 March 1994, recommended that the Centre convene expert seminars for chairpersons of the human rights treaty bodies and representatives of specialized agencies and non-governmental organizations, as well as representatives of States, focused on specific cultural, economic, and social rights, with a view to clarifying the particular content of those rights. This is a follow-up to the conclusions and recommendations of the seminar on appropriate indicators to measure achievements in the realization of cultural, economic, and social rights, held at Geneva in January 1993.

94. The Working Group on the Right to Development, established by the Commission on Human Rights at its forty-ninth session, met in October 1994 for its third session; it focused on the obstacles to the implementation of the right to development.

95. The Centre for Human Rights is preparing plans to enable non-governmental organizations and grass-roots organizations active in development and human rights to play an increased role in the implementation of the Declaration on the Right to Development, with a view to facilitating the process of dialogue and exploring the possibility of financial assistance.

96. With regard to the impact of external debt on the implementation of cultural, economic and social rights, the Commission on Human Rights, by its resolution 1994/11 of 25 February 1993, requested the Secretary-General to submit a report on the adequate measures to be implemented in order to find a

durable solution to the debt crisis of developing countries. The report should be drafted in a process, which has already been launched, of high-level consultations with heads of States and Governments, heads of the multilateral financial institutions and specialized agencies, as well as intergovernmental and non-governmental organizations. The report is scheduled for submission to the Commission at its fifty-first session.

97. A dialogue is being developed with institutions outside the United Nations system, particularly with regional intergovernmental organizations active in the field of human rights (for example, the Commission on Human and People's Rights of the Organization of African Unity in Banjul, the Gambia, the Council of Europe in Strasbourg, the Conference on Security and Cooperation in Europe in Vienna, Warsaw and Prague, and the Inter-American Commission on Human Rights in Washington). Joint or coordinated efforts should enhance the promotion and protection of human rights at all levels and contribute to better implementation of the Vienna Declaration and Programme of Action.

98. On 25 June 1994, the High Commissioner invited all Governments, Members of the United Nations, to inform him annually of any aspects of the implementation at the national level of the Vienna Declaration and Programme of Action.

XVII. ADVISORY SERVICES AND TECHNICAL ASSISTANCE

99. The programme of advisory services and technical assistance, through its multidimensional character, takes an essential place in United Nations human rights activities. The World Conference on Human Rights stressed the need to strengthen and increase the resources of the programme. Upon the request of States, assistance should be available for the implementation of comprehensive plans of action to promote and protect human rights, including strengthening the institutions of human rights and democracy, the legal protection of human rights, training of officials and others, broad-based education and public information activities aimed at promoting respect for human rights. The World Conference also recommended that more resources be made available for the strengthening or establishment of regional arrangements for the promotion and protection of human rights.

100. In keeping with General Assembly resolution 48/141, the High Commissioner is responsible for providing, through the Centre for Human Rights and other appropriate institutions, advisory services and technical assistance at the request of the State concerned and, where appropriate, the regional human rights organizations, with a view to supporting actions and programmes in the field of human rights. The High Commissioner attaches the highest priority to this area of his responsibility.

101. In the framework of the programme of advisory and technical assistance, and in cooperation with relevant agencies and bodies, assistance is being provided to the requesting States to facilitate the process of ratifying or acceding to international instruments. Advisory services of experts are also offered on legislative reforms bringing national laws into line with international human rights standards.

102. Comprehensive country programmes in the framework of advisory services and technical assistance have recently been launched for Burundi, Cambodia, Malawi, Namibia, the Russian Federation and Rwanda. Programmes for Bhutan and Nepal are under preparation.

103. The Centre for Human Rights has provided assistance in the elaboration of national plans of action. Needs assessment missions have been requested by: Armenia and Azerbaijan (July 1994); Bolivia (October 1994); Georgia and Kazakhstan (under consideration); Kyrgyzstan (envisaged for early 1995); Paraguay (January 1995); and United Republic of Tanzania (September 1994). In October 1994, a national plan of action for human rights, elaborated with the support of the Centre for Human Rights, was officially approved by Latvia.

104. Special attention in the programme of advisory services and technical assistance has been given to groups rendered vulnerable, such as minorities, indigenous people, women, children, migrant workers, disabled persons, refugees and displaced persons. Two seminars addressing the rights of minorities and rights of the child were held at Bucharest in October 1994.

105. The Centre for Human Rights also offers, upon request, assistance for the human rights aspects of elections, strengthening of the rule of law and democratic institutions, including training of administration of justice and police officials as an important element for improving the observance of human rights. Electoral assistance was provided to Malawi.

106. The Centre for Human Rights developed and published the Manual on Human Rights and Elections, a training manual, to provide advisory services in electoral processes. A "Manual on human rights for law enforcement officials" is currently being developed and tested. Requests for the training of police were received from the following: Argentina (October 1994 and March 1995); Brazil (October 1994); Egypt (June 1994); former Yugoslav Republic of Macedonia (early 1995); Mexico (early 1995); Mozambique (September 1994); and Palestine (November 1995).

107. To assist States in meeting their reporting obligations under the various human rights treaties, workshops on reporting are organized regularly at the subregional or regional levels in such a manner that all subregions of Asia, Africa, Latin America and the Caribbean and, central and Eastern Europe are covered every three years. Training courses on the preparation of reports incorporate inter alia reporting on women's human rights and status de jure and de facto.

108. A training course on human rights reporting: national capacity strengthening, organized by the Centre for Human Rights in cooperation with the International Labour Organization Centre in Turin, was held at Geneva and Turin from 31 October to 25 November 1994. The course was provided for government officials dealing with the preparation and presentation of national reports to human rights supervisory bodies.

XVIII. EDUCATION AND DISSEMINATION OF INFORMATION

109. The World Conference on Human Rights considered human rights education, training and public information essential. Human rights, humanitarian law, democracy and rule of law should be included in the curricula of all learning institutions. States should develop specific programmes and strategies for ensuring human rights education. The World Conference underlined the importance of intensifying the World Public Information Campaign for Human Rights. Advisory services and technical assistance programmes of the United Nations should be able to respond immediately to requests from States in this regard.

110. The World Conference recommended that the proclamation of a United Nations decade for human rights education be considered in order to promote, encourage and focus the educational activities of the Centre for Human Rights. The General Assembly, in its resolution 48/127 of 20 December 1993, requested the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, to consider proposals which should be incorporated into a plan of action for such a decade. The draft plan for the implementation of the decade has been submitted for consideration by the General Assembly at its current session with a view to the proclamation of a decade for human rights education.

111. In cooperation with the United Nations Educational, Scientific and Cultural Organization and other relevant agencies and bodies, the Centre for Human Rights assists Member States in developing specific programmes and strategies for ensuring human rights education for all. In this framework, the development of curricula, pedagogical techniques and teaching materials, such as manuals for primary and secondary schools, is supported. Manuals for public officials and the general public have been published or are under preparation.

112. Great importance is attached to the establishment and functioning of human rights institutes/information centres at the regional, subregional and local levels for the purpose of organizing educational and promotional activities in the field of human rights. The Centre for Human Rights maintains ongoing cooperation with the following: the African Centre in Banjul, the Gambia, the Arab Institute for Human Rights, Instituto de Promoción de Derechos Humanos of Argentina, and the Human Rights Centre of the Slovak Republic.

113. On the occasion of the International Conference on Education, a Round Table on Human Rights Education was organized jointly by the Centre for Human Rights and the Council of Europe, at Geneva on 7 October 1994. Representatives of the Centre for Human Rights, the Council of Europe, the Committee on Economic, Social and Cultural Rights, Ecole Instrument de Paix, and the Netherlands Helsinki Committee took part in the meeting. The participants discussed ways and forms of cooperation in the field of human rights education and methods of coordination of efforts.

114. Within the framework of the activities for the World Public Information Campaign for Human Rights, the Centre for Human Rights continues to inform people world wide about United Nations human rights activities. In this context, and in cooperation with UNESCO and relevant non-governmental

organizations, the publication programme will be increased through making the most effective use of the human and financial resources and of the available modern communications technology. This should help in meeting the needs of the wider human rights community. In this connection, contacts with the media have been intensified in close cooperation with the Department of Public Information and particularly the Information Service at Geneva and United Nations Information Centres world wide. Steps have been taken to produce a quarterly publication containing information about the activities of the Centre for Human Rights and human rights activities system-wide.

115. The increasing number of United Nations field operations requires the enhancing of human rights training for the personnel involved. The Centre for Human Rights offers courses and information materials. Special training materials are being developed, in particular, manuals, for education on the human rights of international civil servants involved in peacemaking, humanitarian and relief operations.

116. In human rights publications, programme preference has been given to publications for use in technical cooperation projects, such as specialized manuals for the training of police, lawyers and judges, election and social workers. Emphasis has also been placed on the publication of fact sheets focusing on priority issues, such as the protection of indigenous populations, and rights of the child and child exploitation.

XIX. NATIONAL INSTITUTIONS AND NON-GOVERNMENTAL ORGANIZATIONS

117. The World Conference on Human Rights encouraged the establishment and strengthening of national institutions for the promotion and protection of human rights. It also recognized the important role of non-governmental organizations in the promotion of all human rights and in humanitarian activities at the national, regional and international levels.

118. The United Nations counts on the support of non-governmental organizations, academic communities, members of Parliament and other parts of civil society. As part of the human rights infrastructure, these institutions are most active partners in the realization of the Vienna Declaration and Programme of Action. The High Commissioner invited the national institutions, non-governmental organizations and academic communities to cooperate in the implementation of the Vienna Declaration and Programme of Action (see also paras. 97 and 119). Their continuing participation in the promotion and protection of human rights is indispensable for world-wide progress in this respect.

119. The Second International Workshop on National Institutions for the Promotion and Protection of Human Rights was held in Tunis in December 1993. A coordinating committee proposed at the Workshop was approved by the Commission on Human Rights at its fiftieth session. The third workshop is scheduled to be held at Manila in April 1995, at the invitation of the Government of the Philippines.

120. The Centre for Human Rights will publish, by the end of 1994, a Manual on National Institutions for the Promotion and Protection of Human Rights. It will

assist States in establishing or strengthening their national institutions, as well as all those active in this area, including organizers of workshops at the regional and subregional levels.

121. On 12 August 1994, the High Commissioner invited regional and national human rights institutions and non-governmental organizations to present their views annually concerning the implementation of the Vienna Declaration and Programme of Action. The response to this initiative has been very positive. The High Commissioner received a large number of letters and related documentation, informing him of action taken to implement recommendations emanating from Vienna and related needs and expectations. Proposals were also made as to the activities that could be undertaken by the United Nations. The responses received are being reviewed thoroughly by the High Commissioner.

XX. IMPLEMENTATION AND MONITORING

122. The World Conference on Human Rights stressed that the protection and promotion of human rights were the primary responsibility of Governments. In that context, it urged Governments to incorporate human rights standards into their national law. It also recommended the strengthening of United Nations activities and programmes to meet requests for national institution-building. The World Conference encouraged the enhancing of cooperation between national institutions, as well as regional organizations. It called for better coordination of various international implementation procedures in the field of human rights.

123. The High Commissioner's mandate includes the rationalization, adaptation, strengthening and streamlining of the United Nations machinery in the field of human rights with a view to improving its efficiency and effectiveness. He is also responsible for system-wide coordination of activities aiming at the promotion and protection of human rights. This creates a framework for his activities in regard to human rights implementation and monitoring. The High Commissioner will be initiating, in cooperation with the various bodies concerned, a thorough analysis of the existing implementation machinery with a view to promoting its greater efficiency and effectiveness.

124. The World Conference on Human Rights stressed the importance of preserving and strengthening the system of special procedures, rapporteurs, representatives, experts and working groups of the Commission on Human Rights. The procedures and mechanisms should be enabled to harmonize and rationalize their work through periodic meetings.

125. The first meeting of all special rapporteurs, representatives, experts and chairmen of working groups on the special procedures of the Commission on Human Rights was held at Geneva from 30 May to 1 June 1994. Twenty-three independent experts attended the meeting. A constructive debate, focusing on the methods of work for the procedures, cooperation within and outside the system, and resources and administration, resulted in a number of important conclusions for the work of the human rights implementation machinery.

126. The special procedures have acquired a new operational dimension in the context of the establishment of the High Commissioner. They are an important tool in highlighting problem areas in which the Office of the High Commissioner might play a constructive role in regard to both early warning of future disasters and, more hopefully, in mitigating or even avoiding such disasters. The High Commissioner stressed at that meeting that he considered the work of special procedures to be an important pillar of the implementation of human rights in practical terms. He pointed out that while he would not duplicate existing mechanisms, each had an important role to play in the protection of human rights. The essential responsibility of the High Commissioner lay in strengthening the follow-up of their action (see also para. 15 above).

127. The High Commissioner identified priority areas in which enhanced cooperation and exchange of information with and among special rapporteurs, working groups and treaty bodies should be ensured, with regard to: early warning of emergency situations in the field of human rights; field missions by the various special rapporteurs or working groups; follow-up action by the High Commissioner to recommendations made by special rapporteurs and working groups; the work of other implementation mechanisms such as the treaty-based bodies; and the provision of advisory services and technical assistance to Member States.

128. The fifth meeting of persons chairing the human rights treaty bodies considered the Vienna Declaration and Programme of Action. The chairpersons emphasized inter alia that the promotion and protection of all human rights and fundamental freedoms must be perceived as a priority objective of the United Nations, as stated in the Vienna Declaration and Programme of Action, and pledged their full support and cooperation to the realization of that objective. The chairpersons affirmed that human rights should have a high profile in all relevant United Nations activities and must inter alia be clearly identified with, and understood in the context of, the United Nations human rights instruments and the work of the treaty-monitoring bodies. The chairpersons deplored a growing tendency in the United Nations on the part of bodies concerned with some aspects of human rights to ignore, or in some cases to attempt to redefine, in their activities the standards codified in the international human rights treaties. The chairpersons welcomed the initiative taken by a number of treaty bodies to develop, within the scope of their respective mandates, procedures aimed at preventing human rights violations, and encouraged further efforts in that regard. The chairpersons also welcomed the recommendation contained in the Vienna Declaration and Programme of Action that human rights training should be organized for international civil servants who were assigned to activities relating to human rights.

129. At its first session following the World Conference on Human Rights, each treaty body considered the Vienna Declaration and Programme of Action and discussed how the suggestions and recommendations contained therein might be applied within the scope of its mandate. In particular, each treaty body has reviewed its working methods and discussed possible improvements.

130. It must be stressed that adequate human and material resources within the Centre for Human Rights are required to strengthen the system of special procedures and treaty bodies. These are indispensable to provide special rapporteurs, working groups and treaty bodies with the necessary facilities,

including a human rights database, which should also be easily available during the rapporteurs' missions.

131. The Vienna Declaration and Programme of Action viewed with concern the issue of impunity of perpetrators of human rights violations and supported the examination of that issue by the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities. The question of impunity was the subject of a study by the Subcommission at its forty-sixth session. The Subcommission requested two special rapporteurs to submit at its forty-seventh session a report with regard to the impunity of perpetrators of violations of civil and political rights, and another report concerning the impunity of perpetrators of violations of cultural, economic and social rights.

132. The High Commissioner, in consultation with United Nations organs and bodies having experience on this question, and within the framework of his mandate, will endeavour to ensure the recognition of the importance of the human rights components in all United Nations field operations, with a view to establishing relevant conceptual and organizational guidelines on the matter.

133. The open-ended working group established by the Commission on Human Rights at its fortieth session, in order to draft a declaration on the rights and responsibilities of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, met in January 1994 to finalize the text of the draft declaration. Considerable progress was achieved. The Working Group is scheduled to meet again in January 1995.

XXI. CONCLUSIONS

134. The Vienna Declaration and Programme of Action undoubtedly constitutes one of the major events in the United Nations history of human rights. If adequately implemented, it will be a milestone in this history. This will require concerted efforts on the part of Governments and national human rights institutions, international organizations, United Nations human rights bodies and non-governmental organizations.

135. The Vienna Declaration and Programme of Action has already had a positive impact on United Nations activities in the field of human rights. Reaffirming the principles and outlining future activities, it encourages and facilitates action aiming at enhancing the enjoyment of all human rights and fundamental freedoms by all human beings. The efforts to keep the spirit of Vienna alive and to implement fully recommendations which have been adopted voluntarily and by consensus by Governments participating in the World Conference should continue with determination. The implementation of the Vienna Declaration and Programme of Action depends primarily on activities at the national level, undertaken by Governments, as well as institutions and organizations representing all parts of civil society. The role of the United Nations is to provide all possible support to these activities in the framework of international cooperation.

136. The Vienna Declaration and Programme of Action does not constitute a closed programme nor does it merely maintain the existing international human rights machinery. On the contrary, it delivers an open, future-oriented framework for national and international activities in the field of human rights. To implement the objectives outlined in Vienna, one should think in terms of a variety of measures and forms of international and national activities.

137. The High Commissioner should receive all the necessary support from all organs and agencies of the United Nations system in his coordinating activities aiming at implementation of the Vienna Declaration and Programme of Action.

138. The High Commissioner has received many responses to his request for information on activities aimed at the implementation of the Vienna Declaration and Programme of Action. The various proposals and comments contained in the numerous responses are under thorough review by the High Commissioner. They will be of paramount importance in guiding future activities. The cooperation of all members of the wider human rights community should ensure constant focus on the progress made within and outside the United Nations system in the implementation of the recommendations adopted by consensus at Vienna.

139. Prompt endorsement by competent bodies of a detailed plan of implementation of the Vienna Declaration and Programme of Action, together with the related necessary financial decisions, could positively facilitate the achievement of the broad range of objectives in human rights set forth by the World Conference on Human Rights. The guidance of the General Assembly on the implementation of the Vienna Declaration and Programme of Action prepared by the Third Committee and its Working Group will constitute a most important contribution to the work of the United Nations in this respect, in particular to the activities of the High Commissioner for Human Rights.

Notes

1/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I), chap. III).

2/ E/1994/97.

3/ Report of the World Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I, resolution 1, annex I.

4/ Ibid., annex II.